

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LAURA JONES,)
Plaintiff,) Case No. 4:19-CV-02583
v.) JURY TRIAL DEMANDED
CITY OF ST. LOUIS, et al.,)
Defendants.)

DEFENDANTS' TRIAL BRIEF

Defendants Timothy Turner, Jonathan Vanarsdale, Brian DeMatteis, and Joshua Hall (“Defendants”) submit the following trial brief in advance of the December 12, 2022 trial setting:

FACTUAL/ LEGAL ISSUES

Throughout the weekend of September 15-17, 2017, a number of protests, demonstrations and riots occurred in response to the acquittal of St. Louis Police Officer Jason Stockley for the shooting of Anthony Lamar Smith. These protests, demonstrations, and riots began on September 15, 2022 in the downtown St. Louis area. As the afternoon progressed, this activity found its way to the intersection of Clark and Tucker. At Approximately 5:10 pm, a few protestors damaged a police vehicle and others surrounded the vehicle. Officers, including those from the Civil Disobedience Team (CDT) responded to that area. Objects were then thrown at the officers, including pieces of concrete from a sidewalk that protestors were breaking up on the Northwest side of the intersection. The scene was declared an unlawful assembly, and dispersal orders were given. CDT officers moved into the intersection to

attempt to clear the group away and stop the assaults on the officers and police property.

Plaintiff, Laura Jones, was in the intersection of Clark and Tucker at this time. She failed to comply with the dispersal orders and the CDT line continued to move forward. She fell down as the line approached her and she was subsequently arrested.

After this Court's Order on Defendants' motion for summary judgment, the only claims remaining are those against the defendant officers for excessive force, battery and negligent infliction of emotional distress. (Doc. 91). Plaintiff Jones asserts that the officers used more force than was reasonably necessary in affecting her arrest.

The officers deny using excessive force against Plaintiff Jones, and further assert that any force used against Plaintiff Jones was reasonably necessary under the circumstances to effectuate her arrest.

ANTICIPATED SUBSTANTIVE OR PROCEDURAL PROBLEMS

Defendants do not anticipate any substantive or procedural problems when introducing Defendant's own evidence, nor with Plaintiff's evidence other than what will be addressed in motions in limine. Any legal arguments and affirmative defenses will be presented in the appropriate motions for judgment as a matter of law and jury instructions.

Respectfully submitted,
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